

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-cv-329-jdp

THERESA A. DEPIES, JEFFREY G.  
DEPIES, WASHBURN COUNTY  
INDUSTRIAL DEVELOPMENT  
AGENCY, and CASHTON FARM  
SUPPLY, LTD.,

Defendants.

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**ORDER OF DISMISSAL**

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The plaintiff, United States of America, having moved this court to dismiss the above-captioned case without prejudice under Fed. R. Civ. P. 41(a)(2), and based upon the records and proceedings held in this matter,

THE COURT FINDS:

1. A judgment may be vacated under Fed. R. 60(b)(6) "for any other reason that justifies relief."
2. In this case, the Depieses and the United States have reached a settlement and the United States no longer wishes to pursue foreclosure.
3. The Depieses presumably prefer not to have a judgment of foreclosure against them.

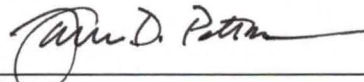
4. In light of the procedural history of this case, relief under Rule 60(b) is justified, and dismissal without prejudice under Rule 41(a)(2) is proper.

IT IS HERBY ORDERED that:

1. Plaintiff United States of America's motion to vacate judgment and dismiss the complaint, Dkt. 31, is GRANTED.
2. The judgment is vacated, and the case is dismissed without prejudice.

Entered this 28<sup>th</sup> day of AUGUST, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read "James D. Peterson", written over a horizontal line.

JAMES D. PETERSON  
United States District Judge  
Western District of Wisconsin